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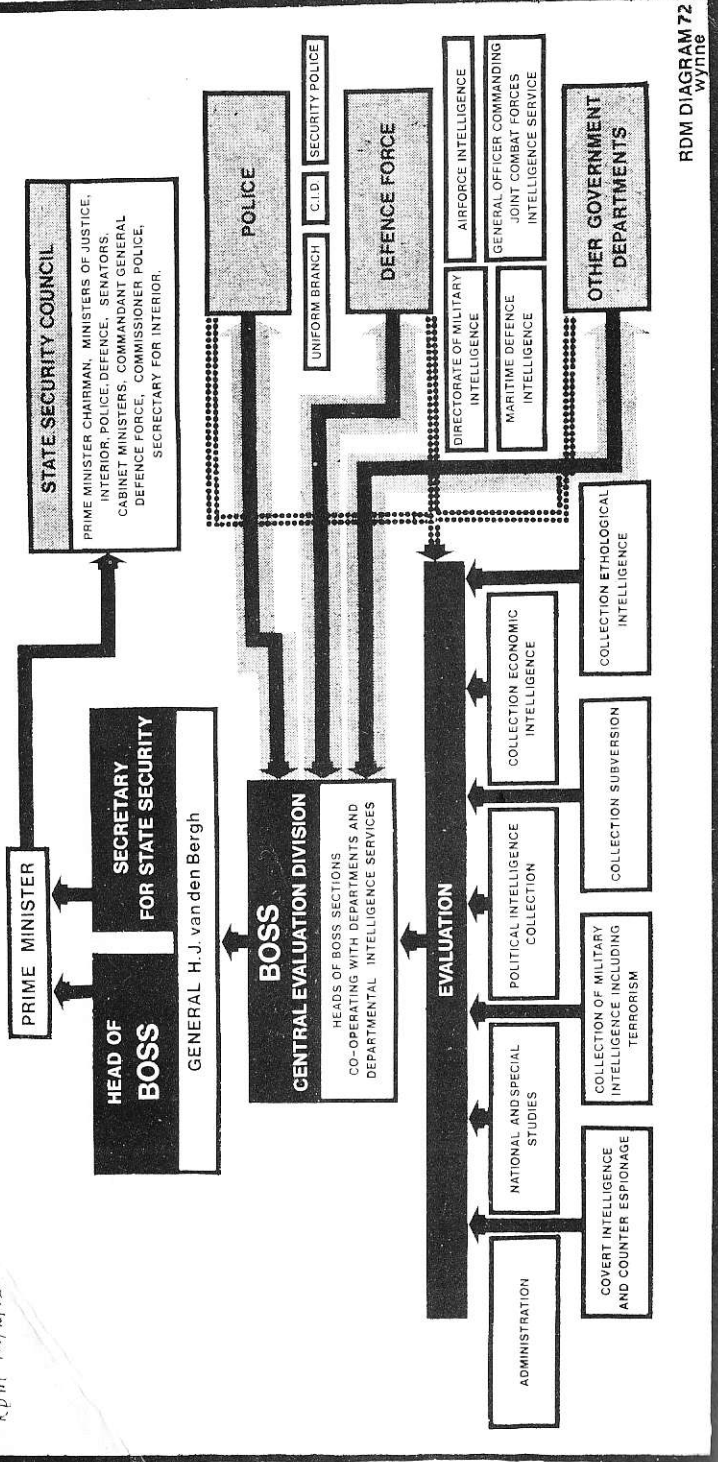


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In 1969 a sinister new word entered the South African vocabulary: BOSS. A rough, expressive acronym of the Bureau for State Security, it represented a further addition to the already massive armoury of laws protecting white supremacy. Its surreptitious entry on to the statute book was greeted with alarm and fear even by supporters of apartheid as a culminating move in South Africa's steady progress towards a police state — alarm and fear that have, during the first five years of BOSS's existence, proved fully justified.

Essentially, the Bureau for State Security's business is intelligence — the gathering of information on "all matters affecting the security of the state". In the South African context this means all or any activities directed against white supremacy, apartheid and Nationalist Party rule. BOSS itself has no executive powers; it cannot arrest, detain, interrogate, ban or imprison anyone. These functions are reserved for the Security Police and the courts. BOSS, however, is the brains behind the Security Police, the place where all the information gathered from routine surveillance, mail interception, raids, agents' reports, etc., is put together and evaluated, and where the overall planning and direction of operations is undertaken. BOSS, too, is the chief department for external security, with an espionage network abroad.

Because of its high-powered role, BOSS is less visible than the Security Police. As it does not perform the day to day work of observation and intimidation, its officers are rarely seen or known, and secrecy shrouds most of its operations. While it is sometimes difficult to distinguish the work of the two departments, BOSS and SP, and to ascertain where responsibility for a particular action rests, it would be wrong to therefore regard them as essentially the same organisation, with BOSS doing the direction and the SP the leg work. In practice the two have formally separate structures and function independently. Far from merely carrying out orders, the Security Police make their own decisions on recruiting agents, detaining suspects and preparing evidence with which to procure banning orders. On the other hand, there is clearly close co-operation with and often direction by BOSS: the two departments function as dual instruments of the same apparatus of terror.

As with all intelligence services, it is difficult to ascertain many hard facts about BOSS's activities. But, as we shall see, there is evidence that its most recent operations indicate a wide-ranging role, and fully confirm its sinister reputation.

The Background to BOSS

During the years since 1948 the Nationalist government in South Africa has systematically built up for itself a battery of 'security' legislation whose chief purpose is to entrench Nationalist rule by suppressing all opposition. The Suppression of Communism Act, the Sabotage Act, the Terrorism Act, the 90 day and 180 day detention laws — with these weapons the government can crush all attempts at political organisation directed at removing white minority rule. Or can it? Despite the legislation and the uses to which it has been put, despite the hundreds of political prisoners, despite the deaths in detention, the determination to resist remains. And while resistance continues, the Nationalists can never feel safe. They must constantly be augmenting their arsenal — both literally and figuratively — in a desperate, endless attempt to render opposition not only impotent but also impossible.

It was out of some such fear that BOSS was born. Its creation must be seen against the background of the clandestine resistance attempts of the early 1960's. This was a turning point in the struggle for a non-racial democracy. After the Sharpeville massacre and the outlawing of the African National Congress and the Pan Africanist Congress it was abundantly clear that all roads to peaceful change were blocked. As the Black majority is denied the right to vote in central parliamentary elections and has few other legal or political rights, and as non-violent protests were suppressed with violence, the main opposition organisations began to prepare for armed struggle as the only way forward.

It was at this time that the need for a much-improved security system — a system that would not simply operate as an information-gatherer but would assist the state in neutralising all potential opposition — was recognised. Justifying the decision retrospectively, Mr. Vorster told Parliament (21.4.71) that the Republic had inherited a secret service that was part of British intelligence (in its military and external aspects) and therefore not suited to "South Africa's needs".

The main deficiency, it appears, was a division of responsibility between military (external) and police (internal) intelligence. The official account of the history behind BOSS — contained in the [Potgieter] *Report of the Commission of Inquiry into matters relating to the Security of the State*, 1971 — claims that "in the 1950's there was no military intelligence section to speak of in South Africa". In 1960, a Directorate of Planning, Operations and Training was created. "General Biermann was the first Director and in this organisation the intelligence section of the Defence Force which was responsible to the said Director was expanded". . . "The first head of the military intelligence service was the late Brig. Uys. . . In 1962 Gen. P. M. Retief, the present Director

General of Civil Defence, was appointed Director of Military Intelligence". (*Potgieter Report* pp.7-8).

As for domestic affairs it is claimed that "Up to 1947 there was virtually no internal intelligence service. No information was collected concerning communism, sabotage or subversion"*. In 1947, in order to deal specifically with "the communist threat", a small Special Branch with less than a dozen officers was set up within the Police Force. This steadily expanded. Its main role was "the collection and collation of information in connection with subversive organisations and persons and for reporting thereon to the higher authorities" (p.8). At some undisclosed date the Special Branch became the Security Police.

As there was no legislation covering the activities of the Security Police, the Police Amendment Act of 1955 extended police functions to cover "the preservation of the internal security of the Union" (a provision consolidated in the Police Act 1958 and subsequent minor amendments), which "empowered the Security Police to undertake the covert collection of information in so far as this was connected with sabotage, subversion, espionage or any other matter relating to the security of the State". (p.9).

However, the two intelligence services, although often operating in the same field, did not always co-operate, and "serious defects" in the system became apparent.

This was revealed in the early 1960's when as the first stage in the armed struggle, sabotage operations were begun by resistance organisations including Umkhonto we Sizwe and Poqo (the armed wings of the ANC and PAC respectively). By 1962 sabotage had become an almost daily occurrence.

The events of this period are recounted in a bland manner by the Potgieter Report:

"In 1960 the well-known Sharpeville and Langa episodes took place. During 1961 the Underground Communist Party, Umkhonto we Sizwe and other communist-controlled organisations launched a series of sabotage attacks as part of a campaign to overthrow the existing authority in SA by force. . .

"After discussions between the Minister of Justice (the present Prime Minister) and General Keevy — then the Commissioner of Police — it was decided to appoint General van den Bergh, head of the Security Police, to reorganise the security set-up of the country.

"General van den Bergh was appointed on 14 January 1963 and under his leadership sabotage was practically wiped out in this country". (p.9).

In response to the sabotage operations the government passed first the 90-day law and later the 180-day law, giving the police the right to detain suspects incommunicado virtually indefinitely. Together with the free use of torture and intimidation this legislation is a real tool of terror in hands of the police.

*This is incorrect. Radical African opposition has always been regarded as subversive and consequently watched and harassed by the police. After the huge 1946 African miners' strike police raided the offices of the SA Communist Party and its members' homes, and the information collected was used not only in subsequent trials but also by the next (Nationalist) government in the course of suppressing the Communist Party.

At the same time the failure of the intelligence services was revealed. It was all very well to have caught some of the saboteurs, but why had the state not been forewarned about their activities? During the next few years, the necessity for a united central intelligence service was accepted, but its form proved difficult to determine. First a State Security Committee with a working group was set up "to collect, sift and collate" all security information. However, the working group proved ineffectual and was replaced by an Intelligence Co-ordinating Committee with its own secretariat, but "this organisation did not function efficiently either". In 1966 a further attempt to reorganise security was made but again without success. The problem was that the co-ordinating committee

"did not consist of permanent members who could make a career of intelligence. It was dependent on departmental intelligence services for its basic information since it had no powers to collect information itself. There could seldom, if ever, be any systematic training and utilisation of staff. . ." (p.11).

Yet as the decade progressed, the need for a centralised service became, in Nationalist eyes, ever more urgent. This was partly because despite the massive attacks on all opposition groups the liberation movements had not been permanently crippled. Those known leaders who had not been imprisoned had gone into exile, which had in turn to be seen in the context of the changing situation in Southern and Central Africa in the middle and late 1960's.

The advent of independent African states ushered in a period of political isolation for the apartheid regime and created reasonably secure — if distant — bases for the liberation movements. It was therefore necessary for the security services to expand foreign surveillance in order to observe and—if possible—penetrate these 'exile' organisations, and to monitor events in the host countries.

So long as South Africa was surrounded by a protective ring of secure white-ruled states, these organisations did not pose too immediate a threat to the Nationalist government, but by 1967-9 this protection had become less certain. In Mozambique, FRELIMO, which had begun guerrilla warfare against Portuguese colonialism in 1964, was establishing itself as an effective force; in Namibia the SWAPO-led drive to independence had entered a new phase of armed struggle following the UN decision in 1966 revoking South Africa's mandate; and in Rhodesia joint ANC — ZAPU guerrilla forces had also been active, compelling Smith to turn to Vorster for support and opening the possibility of eventual attacks on the Republic itself.

The spread of guerrilla activity across the whole sub-continent stemmed from the refusal of the white regimes to grant effective representation to the black majorities in each country, and was characterised by an essential unity of purpose, a unity which moreover included the people of South Africa in their fight against racism and repression. In this sense, the Nationalist government was right to see it as a threat to its own "security" or supremacy.

The re-organisation of the security services into a high-level, sophisticated and autonomous department with the power to operate both inside and outside the

country and the freedom to act on its own initiative, responsible only to the Prime Minister, became therefore a priority.

According to Mr. Vorster, it was intended that the new system should be "a security set-up which would meet South Africa's needs, regard being had to the threat facing South Africa", an intelligence system which would be "as far as possible the ideal security set-up for South Africa" (*Debates* 21.4.71).

Thus, after a lengthy gestation, BOSS was born.

The Birth of BOSS

Although the existence of BOSS was not publicly disclosed until some months later, it was in fact in mid-1968 that the Cabinet agreed to the establishment of a central intelligence service. Then "On 23 August 1968 the Prime Minister advised Gen. van den Bergh of this decision, also informing him that a central intelligence organisation would be established. Gen. van den Bergh was instructed to commence the setting up of such an organisation" (*Potgieter Report*, p.12).

The first public intimation of what was happening appeared in October when it was announced that Gen. van den Bergh would not now take over as Commissioner of Police (as had been announced in April) but would instead become the Prime Minister's "Security Adviser". This new post had undisclosed functions. Six months later a newspaper leaked the information that Van den Bergh was in fact the head of a new department.

Gradually BOSS's existence came to light. When the estimates of expenditure for the next financial year were published they disclosed that R4,063,000 was being allocated for "secret services" under the Prime Minister's Department — the first time such an estimate had appeared.

In addition the amount for secret services under the Police Vote was increased from R1,012,000 in 1968-9 to R1,218,000 in 1969-70. However, under the Defence Vote the amount for military intelligence services was reduced from R830,000 in 1968-9 to a mere R39,000 in 1968-70. The total secret expenditure was thus raised from R1.8 million to R5.3 million in just one year — most of it going to the Prime Minister's Department for the establishment of BOSS.

When these estimates were debated the following April, Mr. Vorster admitted that South Africa now had three "independent" security bodies:

- Military intelligence falling under the Commandant-General of the Armed Forces (Gen. R. C. Hiemstra)
- The security branch of the Police (headed by Brig. "Tiny" Venter) falling under the Commissioner of Police (Gen. J. P. Crous).
- The new Bureau for State Security under General van den Bergh.

No further information was given until 13 May 1969 when the Public Service Amendment Bill was introduced in Parliament by the Minister of the Interior. This formally authorised the establishment of BOSS and made it free of control by the Public Service Commission. According to the Minister, its function was to co-ordinate internal and external security information. It was as necessary to know about the movements of "our neighbours to the north" as of "terrorists in South Africa", and

"It is precisely to obtain that fund of information that it was decided by the government that these various intelligence services should be co-

ordinated. That is why I am saying that 'co-ordination' is the word on which the greatest emphasis must be placed. . ."

The United Party, which a month before had criticised the clandestine creation of BOSS, now declared itself reassured and ready to accept the new department.

Three days later the formal establishment of BOSS, as a Department of State under the Prime Minister, was promulgated in the *Government Gazette* (16.5.69). Its functions were spelt out for the first time:

- 1 to investigate all matters affecting the security of the State, to correlate and evaluate the information collected and, where necessary, to inform and advise the government, interested government departments and other bodies in regard thereto; and
- 2 to perform such other functions and responsibilities as may be determined from time to time.

The hitherto shadowy Bureau was gaining in substance: it now had a budget, a head and some duties. It also, apparently, had unlimited possibilities — who could tell what "other functions and responsibilities" might be "determined from time to time"?

The following day the Deputy Minister of Finance introduced a Security Services Special Account Bill, establishing a special account for BOSS. He said "As it is essential to ensure the secrecy of these services, the expenditure in connection therewith cannot be voted from public funds in the usual way" (*Debates* 19.5.69). Nor was the account to be subject to the usual Treasury control.

So far, there was nothing very startling about BOSS, apart from its rather surreptitious arrival. But on 4 June, when the General Law Amendment Bill — a regular omnibus measure introduced at the end of every parliamentary session to tidy up other Acts — was published, hidden among its numerous provisions were two clauses relating to BOSS:

- Clause 10 amended the Official Secrets Act to make it an offence (punishable on conviction by a fine of up to R1,500 or 7 years' imprisonment or both fine and imprisonment) to disclose any "security matter". "Security matter" is defined as "any matter relating to the security of the Republic and includes any matter dealt with by or relating to the Bureau for State Security . . . or to the relationship subsisting between any person and the said Bureau".
- Clause 29 authorised the Prime Minister or his nominee, (i.e. Gen. van den Bergh) or any Cabinet Minister, to prohibit the giving of any evidence or the production of any document to any court or statutory body if the evidence or document is, in their opinion, "prejudicial to the interests of the state or public security".

These clauses were distinctly more contentious, and were seen to be so even by supporters of the government. The right wing journal *The South African*

Observer claimed that the unlimited powers given to BOSS meant that power in South Africa had passed from Parliament to Mr. Vorster, the Prime Minister, and Gen. van den Bergh. There was some truth in this, and it is clear that Parliament had been misled into accepting BOSS as nothing more than a co-ordinating agency. Its objectionable features had been carefully concealed until the last minute, and their inclusion in the General Law Amendment Act was plainly an attempt to smuggle them past Parliament with the minimum fuss.

The legal profession was particularly horrified by clause 29. Mr. Justice J. F. Marais (whose political opinions may be judged from the fact that, like Vorster and Van den Bergh, he was interned during World War II) took the unprecedented step of saying publicly how shocked and unhappy the judiciary were at this measure. Retired judge Mr. Justice Caney, similarly perturbed, described how clause 29 could be used to deny defendants in political cases a fair trial and

“in addition this extreme power of denying litigants the right to produce their evidence in full before the courts is not limited to sabotage or to political cases.

Any litigant, in any case, for example, an action for damages against a Minister or a Government official—or indeed any other person—may find himself hamstrung by a direction that a vital piece of evidence be denied the courts. And there will be no way of testing whether the denial is justified. The matter will not be in the hands of the court to decide this but in the hands of an official outside the court. That is not justice. It offends the rule of law. . . .” (*Sunday Times*, Johannesburg, 29.6.69).

Several other eminent judges condemned clause 29, as did some law professors and the Bar Councils of Johannesburg, Pretoria, the Cape and Natal. They were not willing to accept the government's claims, made by the Deputy Minister of Justice, who piloted the measures through Parliament, that clauses 10 and 29 did not contain any principles not already embodied in South African common or statute law, that clause 10 would protect BOSS in the same way as the British Secret Service and the CIA were protected, and that clause 29 simply stated an old common law rule which had been upheld in various cases in British courts since 1822. To almost everyone, it was clear that new ground was being broken, and that a further erosion of the rule of law—already seriously undermined by earlier security legislation—had taken place.

Although the General Law Amendment Act was passed without further interruption on 30 June, the legal criticism had an effect. When Parliament resumed in September the Prime Minister announced the establishment of a Commission of Inquiry into the country's security system, under the Hon. H. J. Potgieter. This one-man Commission's brief was to inquire into all aspects of state security, and in particular into any objections to clause 10 and 29. “I have decided”, said Mr. Vorster

“to appoint a commission of inquiry into the security framework of the Republic. I do this because it is of vital importance that the Republic

should have the best machinery at its disposal to guarantee its security, and secondly to give all persons who have recently expressed misgivings or have launched attacks on BOSS and the legislation concerned the opportunity to lay their points of view and objections before the commission”.

Since the Republic's security system had recently been completely reorganised, the first part of the Commission's brief was belated and rather superfluous—in creating BOSS the government had already surveyed the security framework, identified its deficiencies and prescribed remedies—while the second was clearly a concession to the critics. In the event the Potgieter Commission proved, like many such commissions, to have been merely a device for deflecting protest. Once it was appointed the noisy objections tailed off, leaving BOSS free to carry on with its appointed task.

It is important to emphasise here that the South African political system is such that BOSS cannot be regarded simply as a routine intelligence apparatus. In the state's battle to counter the efforts of those opposed to racism and repression, it has a key role not only in watching and reporting in such efforts but also in intervening to confuse, forestall and crush all opposition.

One result of the security reorganisation under which BOSS was set up was the formal separation of political spying on the government's opponents from the Security Police machine. Once this separation had been effected, BOSS was free to pursue its investigations in whatever direction it chose—including the ultra-right.

In 1968/9 the government was conscious of a threat from the right-wing Herstigte Nasionale Party. Though in retrospect a very minor threat the HNP had made some gains in recent elections, with its extreme racist policies, and the government apparently wished (as emerged later) to keep a check on its activities. At the time this move did not seem as much of an over-reaction as it now looks and was in any case a measure of Nationalist fearfulness. Hindsight also suggests that it may in fact have been a diversionary manoeuvre designed to allay public distrust of BOSS by using it in the first instance against the right rather than the left.

We will come back to this. The Bureau for State Security exists principally as the controlling body within what is essentially a police state, where the majority of citizens are denied most basic civil and political rights and no serious opposition is permitted. In this connection its secondary purpose is to provide a cloak for police surveillance, interrogation and brutality in order to keep from the press and the public knowledge of the methods of terror and torture needed to sustain apartheid. As long as some attenuated democratic forms remain, in the shape of a nominally independent judiciary and press, there is a danger that some of these methods will be disclosed. The powers granted to BOSS enable it to conceal the full truth about police methods under the rubric of “in the interests of the security of the state” and thereby to increase the operational freedom of the police. Although they have not been much used, this appears to be the intention behind the controversial clauses 10 and 29.

Perhaps more important than the actual legal constraints however is the contribution they make to a general atmosphere of intimidation, confusion and fear, and the way in which they, acting in conjunction with all the other aspects of the police state, ensure not only that protest and resistance are silenced, but also that they are deterred. This, after all, is the Nationalist government's unceasing aim.

The BOSS Budget

Security Services Special Account Estimates

1969-70	R4,063,000
1970-71	R2,900,000†
1971-72	R3,515,000
1972-73	R5,500,000
1973-74	R9,043,000
1974-75	R12,536,000

†approx. It appears that the R4m. initially budgeted for BOSS was not all spent during 1969-70, which may explain the lower estimates for the following two years.

The Boss of BOSS

If by the end of 1969 the existence of BOSS was an incontrovertible fact, very little was known about how it worked or what it did.

It is evident that Gen. van den Bergh had problems in setting up his new department. The staff as well as the functions of the military and the police intelligence departments were in many cases simply taken over by BOSS, arousing resistance. United Party defence spokesman Mr. Vause Raw MP said "my information is that there was and still is extreme dissatisfaction in military circles over the takeover" (*Debates* 21.4.69). The Potgieter Report referred to submissions that the Defence Force retain all its intelligence duties, and "weighty arguments" in favour of the Security Police doing the same, from which one can infer that the reorganisation did not proceed altogether smoothly. General Venter, head of the Security Police, on his retirement some years later, indicated the resentment there had been towards BOSS: "One does not like losing one's top staff to another department", he told the *Sunday Times* (5.5.74).

Despite the problems, BOSS was established as an autonomous department. The size of its staff was not revealed, though Potgieter later described it as consisting of six divisions, dealing with (i) subversion (ii) counter espionage (iii) political and economic intelligence (iv) military intelligence (v) administration (vi) "national evaluation, research and special studies". To begin with however, all that was known of BOSS was its chief. A closer acquaintance with Gen. van den Bergh is hardly reassuring.

H. J. van den Bergh has been a close friend of Mr. Vorster ever since the days when both were interned during World War II for pro-Nazi sympathies. His career in the police force was unspectacular until Vorster became Minister of Police under Verwoerd. In 1963 he became head of the Security Police and, as we have seen, is credited with having "practically wiped out" sabotage in the country. On becoming Prime Minister Vorster relinquished the Police portfolio but retained Van den Bergh as his special security adviser and as previously described created a department for him to head, thus building the Bureau on the basis of a personal relationship. The *South African Observer* claimed that Mr. Vorster was "unable to govern the country without having Gen. van den Bergh at his elbow", and that "the Nationalist Party has now become a mere instrument in the hands of these two ambitious men" (quoted in the *Evening Post* 16.8.69). Mr. Vorster himself described the relationship thus:

"Gen. van den Bergh is an officer with whom I co-operated intimately during the most difficult years which South Africa experienced in the time of the Poqo and the ANC and other problems. He is an officer for whom I have the highest regard and respect because of his ability and the manner in which he performs his work". (*Debates*, 21.4.71).

The manner in which the Security Police (whose chief Van den Bergh was at the time) performed their work as far as these events are concerned suggests that the General is a cruel and ruthless man with scant regard either for justice or humanity. Along with his friend Mr. Vorster, and other leading Nationalists, he is responsible for the present plight of the political prisoners in South Africa's jails, and for the torture and death in detention of so many opponents of apartheid. Up to now 22 detainees are known to have died while being held.

Gen. van den Bergh has made no secret of his political opinions. He has not adopted the traditional police attitude of standing aloof from politics, but has appeared on many political platforms, lectured on the dangers of communism, claimed that "certain student organisations, newspaper reporters, churchmen and other intellectuals are under communist influence" and said that the Liberal Party of South Africa helped communism by its "sickly sentimentalism". He has been reported as saying (inaccurately he claims) that Jews are prone to communism. He has denied that he ever belonged to the Ossewabrandwag, the pro-Nazi organisation, membership of which earned Vorster and others their wartime internment, but he was photographed giving the O.B. salute at the funeral of its former leader Dr. J. F. J. van Rensburg. In speeches and interviews Van den Bergh comes over as a manic anti-communist. Defending the removal of regulations concerning police questioning of suspects, he told a radio interviewer:

"How, under such circumstances, with your hands virtually tied, does one go about fighting a communist-inspired revolution? The Government therefore decided to help the police by making available to them legislation which did away with those hampering restrictions. Without firing a single shot the police then succeeded in warding off a threatening communist-inspired revolution. . . and I'm not fooling when I say they had more than enough information pointing to plans for a veritable bloodbath of violence and murder which would have involved many innocent people. . ."

When asked if police powers were not already sufficiently wide, he replied "anyone who tries to create the impression that the revolutionary forces are down and out is very far off the mark indeed. They've been hit and hit hard, but they're as tough as leather and are already gathering their forces for a new onslaught" (*Rand Daily Mail* 22.11.71). It should of course be remembered that in South Africa "communist" means any activity which the government wishes to suppress. Some most unlikely people have been identified as communists, when in fact their only action has been to speak out against apartheid.

Among other public appearances in recent years, Gen. van den Bergh has spoken at a Day of the Covenant rally in Bloemfontein, opened an Afrikaner youth centre in Calvinia, talked to Stellenbosch University Law Society and spoken to a seminar on industrial security in Pretoria.

This behaviour is very different from that of the heads of other countries' secret services, who usually stay out of the limelight. In contrast, Gen. van den Bergh clearly views his job as a political one, to warn the whites (as the govern-

ment does constantly) of the threat of subversion from within and without. However, his public appearances have diminished since May 1972 when he received a severe electric shock while welding on his farm. Owing to quick action by an African employee, he survived and remains (April 1975) head of BOSS. His deputy was Brig. M. C. W. Geldenhuys (with responsibility for "non-internal security matters") until 1 July 1974 when the latter became chief of the Security Police, thus effecting even closer links between the two branches.

BOSS in Business

Any attempt to describe the workings of an intelligence system is hampered by the secrecy that surrounds it. What information can be gathered tends to be fragmentary and unverifiable; it suggests the tip of the iceberg, but there is no way of telling whether what is visible is an accurate reflection of what is hidden, or a misleading one. This is particularly true in South Africa because of the many laws which curtail press freedom* and inhibit investigative reporting (including the specific prohibition in clause 10 forbidding publication of information concerning BOSS) and because of the 'white' bias of all news media — many incidents affecting black South Africans simply go unreported. What follows is, to some extent, simply a catalogue of what has reached public notice, and its limitations should be borne in mind.

It is not clear how quickly BOSS became operational but there are signs that it was effectively in business by the time of its official establishment in May-June 1969. A brief newspaper report in July stated that BOSS officers had held a week of talks in Lisbon with their opposite numbers in the Portuguese secret police (PIDE/DGS) and the Rhodesian security police aimed at "closer co-operation in their fight against Southern Africa's liberation movements" (*Daily Telegraph* 26.7.69). External espionage was, as we have seen, one of the chief duties entrusted to BOSS. These three-cornered meetings, we may assume, became routine practice until the fall of the Caetano regime in April 1974.

A similar emphasis was apparent in the instructions given to Potgieter on his appointment as the Commission of Inquiry. His brief was to cover all aspects of security in the light of "the potential threat of conventional and unconventional war against the Republic; the threat of terrorism and potential guerrilla war; the continual possibility of internal subversion".

However, most of the publicity BOSS received in the early months concerned not the left but the right. The HNP, an ultra-right splinter from the Nationalists led by Dr. A. Hertzog, apparently came under government scrutiny. In a counter-attack in November Dr. Hertzog alleged that BOSS powers would bring to South Africa a type of tyranny unknown in any other civilised country. He added that its budget would come closer to R50 million than the R4 million in the expenditure estimates. Another MP, Mr. Jaap Marais, echoed these allegations, which the Prime Minister immediately ordered the Potgieter Commission to investigate. Hertzog and Marais refused to testify to Potgieter. Two months later Marais returned to the attack in Parliament, claiming that his and other telephones had been tapped by BOSS. His evidence was an 8-page document

*See Alex Hepple, *Press Under Apartheid* (I.D.A.F., 1974).

from the Prime Minister's Office in Cape Town dated May 1969 and signed by Mr. Vorster, a copy of which had been sent to Marais anonymously. The crucial paragraph on page six read:

"Monitoring (*meeluistering*) will continue as in the past: provided that information from all monitoring sources which is or may be of security importance is to be made available to the Bureau and other members of the Bureau and other members of the intelligence community who are concerned" (quoted in *Debates* 5.2.70).

Clearly, this refers to some detail of the handover of security functions to BOSS. The government's reply explained it a little further: "You have got the wrong end of the stick", said the Minister of Defence. "It has nothing to do with telephones". A few minutes later Dr. Mulder (then Minister of Information, Social Welfare, Pensions and Immigration) rose to tell Mr. Marais that "*meeluistering* has nothing on earth to do with a telephone, that it has nothing to do with any citizen in South Africa, that it has to do with the security of the country and that it is a military situation with which he is at the moment playing a dirty game directly into the hands of our enemies and the Communists". That this was so, he added, ought to have been clear from the fact that the document concerned the Prime Minister and the Defence Minister and not the Minister of Posts and Telegraphs.

Though Mr. Marais lost the argument, his claim did help to clarify BOSS's position. Clearly under the new system, military and security police units were to continue to be responsible for routine monitoring "as in the past" but the information so gathered was to be passed on to BOSS for evaluation.

This division of function, which was not initially apparent to BOSS's critics, is important. BOSS is responsible for overall security strategy and planning; within South Africa it is apparently not involved in the actual processes of monitoring and surveillance, nor does it have executive powers of arrest, detention, subpoena or search. Its official functions were spelt out in the *Potgieter Report*:

"127. It is well known that the Republic has numerous enemies who are seeking to overthrow the existing order in the Republic. They are active in many spheres and it is no secret that the enemies of the Republic are trying to attack in all fields and not only in one or another. In order to be able to form a true picture of the threat or potential threat to the security of the State, therefore, it is essential to take cognisance of whatever happens in every field which could be a threat to or affect the security of the State. The following spheres were identified in evidence given to the Commission:

- (i) Military;
- (ii) political;
- (iii) economic;
- (iv) social;
- (v) educational;
- (vi) psychological;

- (vii) subversive;
- (viii) terrorism;
- (ix) sabotage;
- (x) espionage".

(Potgieter Report, p. 34.).

Therefore,

" 106. In regard to the security of the State, the primary function of intelligence is:

- (a) to determine the threat or potential threat to the security of the State and, in this connection, to identify the enemy or potential enemy, as well as the sphere in which the threat exists, such as the political, military, economic or social sphere;
- (b) to determine the vulnerabilities and capabilities of the identified enemy or potential enemy; and
- (c) to enable the authorities who have to decide how the threat or potential threat is to be prevented or combated to formulate a policy for the prevention or combating of the threat and, where operational action against the threat is necessary, to enable the authorities to whom operational action is assigned by law to carry out those functions". (p.28.).

Intelligence is "collected in two ways, namely overtly or covertly". The first involves obtaining and evaluating information from open sources, while "covert intelligence is obtained through the penetration of secret agents and informants or by means of special intelligence operations".

The directions assigned to BOSS, in Potgieter's view,

"permit the Bureau to investigate matters affecting the security of the State and also permit the overt and covert collection of information, provided, however, that this does not include collection in an unlawful manner, and particularly not collection in an unlawful covert manner. As I see it, the directions do not grant the Bureau the powers to obtain information in such a way as to violate or affect the rights of third parties, for example the entering and searching of premises in order to obtain information or the intercepting of post or telephone conversations".

However

" 172. The Bureau envisages no executive powers for itself, i.e. the Bureau merely intends to collect and handle intelligence as indicated above. Should any form of operational action be required as a result of intelligence, the Bureau neither desires nor needs any powers to take such action. So far as the Bureau is concerned, operational action following upon intelligence, such as arrest, should be left to the organs of state whose statutory function this is. As the central intelligence agency, the Bureau will formulate the intelligence policy in regard to the security of the State and will co-ordinate the activities of departmental intelligence services within this framework through consultation". (p.46.).

Finally it is BOSS's responsibility to

"bring any threat to the security of the state to the attention of the Prime Minister (who, in his discretion, will convey the fact of such threat to the State Security Council where a policy of co-ordinated combating of the threat will be decided upon). In this regard it is the Bureau's idea that the determination of intelligence priorities should be done by the State Security Council on the recommendation of the Bureau, and not by the Bureau itself. The idea of the Bureau is also that it should be the sole channel through which intelligence relating to the safety of the State should be submitted to the Government". (p.46).

Rumblings about BOSS continued to be heard in parliament and the press during the first two years of its life, partly as a reflection of teething troubles and partly no doubt owing to the Hertzog-Marais affair. Gradually, however, it became accepted.

From time to time further details and amendments of BOSS were announced by the government. The BOSS special account vote in April 1971 gave the Prime Minister the opportunity to explain that, contrary to allegations, BOSS "is not a super government department which had been instituted over other government departments... it is a department just like any of the other government departments". Gen. van den Bergh's title, he added, was now Secretary for Security Information, but his job had not changed. A State Security Council had also been established (legislation to follow) consisting of the Prime Minister, the Ministers of Defence, Police, Foreign Affairs, and Justice, Gen. van den Bergh, the Commandant General of the Defence Force, the Police Commissioner, the Secretaries for Foreign Affairs and Justice, together with other co-opted members on an *ad hoc* basis. (Debates 21.4.71).

This coincided with the tabling of Potgieter's report. Under the pretext that its contents were security matters, it was not published but referred to a parliamentary committee to advise which parts of it might be published. In an abbreviated form the Report was eventually published in February 1973 (Blue Book RP 102/1971).

The government had already accepted Potgieter's findings which were that BOSS was the correct way for the security services to be organised. Emphasising that it had no executive powers — "the allegation that by establishing the Bureau the Prime Minister has assembled an additional Police Force around him is therefore totally unfounded" — and also that it had no power to investigate the armed forces, or the stability of the government (the security of the state not being synonymous with the security of the incumbent government) Potgieter dismissed all doubts about BOSS's role. Following the Report's specific recommendations, the controversial sections of the BOSS law (General Law Amendment Act of 1969) were amended, through sections 10 and 25 of the General Law Amendment Act of 1972.

The first of these states that a person can only be found guilty of publishing

information relating to a security matter if he was aware or could be reasonably expected to suspect that it related to such a matter. This did not remove the prohibition on reporting on BOSS affairs but it gave those accused under the section some defence.

The second section altered the provision that security matters could be withheld from a court if a ministerial certificate claimed that they might prejudice the interests or security of the state. The changes required that (a) a signed and sworn affidavit be presented in place of a "certificate"; that (b) the application of the law be limited to "security of the state", excluding "interest of the state", and that (c) the Minister specifically states in the affidavit that in his opinion disclosure would prejudicially affect the security of the state.

The Potgieter Report also recommended that phone tapping and mail interception be authorised by legislation. These amendments were put through Parliament in the next few months, in the Security Intelligence and State Security Council Act (1972), which formalised BOSS's functions, and the Post Office Amendment Act (1972) which authorised interference in the postal and telephone services.

Gen. van den Bergh described himself pleased with the Report which "recommends that I do much more than I am doing at the present time. . . I think it is an excellent report". "It seems ironic", commented the *Rand Daily Mail* "that a commission which was appointed to allay public anxieties that the powers of BOSS were too sweeping should in the end recommend that those powers be extended" (8.2.72).

By this date in fact BOSS had got over its early difficulties and was working efficiently. Its field is wide, covering as it does both external and internal intelligence and while many of its activities are secret, it is possible to sketch something of its scope. It involves the open collection of information on all groups and individuals thought to be present or potential "enemies" or "subversives" from published work, public speeches, newspaper reports etc., and the covert collection of other information on the same people. Covert collection involves agents and informers, both at home and abroad, infiltration of groups, espionage, bugging, blackmail and all the sophisticated apparatus of a modern spy system. The operational functions involved in this are undertaken by the security police inside the country, including the occupied area of Namibia and possibly also the satellite states of Lesotho, Swaziland and Botswana, but abroad — in Britain and Zambia, to name two countries where BOSS is undeniably active — one may assume that in general BOSS officers are responsible for surveillance, infiltration, etc. In Rhodesia, BOSS works in close collaboration with the Rhodesian intelligence services, and did the same in Mozambique and Angola with the Portuguese DGS until 1974. The transition to independence of these countries will mean that BOSS will have to extend its undercover operations in the near future. If its past record is anything to go by, it will be both competent and confident of its ability to do so.

Intelligence and Intimidation

Remembering always that BOSS's visible activities are only the tip of its iceberg, we are now in a position to look at some examples of BOSS undertakings in the past few years. Each represents a specific, distinct use to which the BOSS apparatus is being put. They are by no means the whole picture.

The 1971 detentions

Starting on 24 October 1971, the homes of many teachers, students and churchmen were raided and in the weeks that followed at least 48 people were detained, for varying periods. On 21 November Gen. van den Bergh was interviewed on SABC radio; amongst other things, he said "According to information in my possession the present actions and arrests being carried out by the police are definitely more than justified and critics will soon be swallowing their words". (*Rand Daily Mail* 22.11.71). One of those detained on 24 October, Ahmed Timol, had already died while being interrogated; the rest were kept in custody for different lengths of time (175 days and 157 days being the longest without charge). Eventually 37 were released without being charged, 3 were acquitted of minor charges, 1 was convicted of possessing banned books and given a suspended sentence, 3 left the country while on bail accused under the Terrorism and Suppression of Communism Acts, and the remaining 4 were eventually (after a year in jail) convicted and sentenced under the Terrorism Act to 5 years' imprisonment (the minimum sentence). Two later appealed successfully against conviction. The charges referred to the defendants "conspiring with each other and for others to promote the policies of banned organisations" but the chief offence seems to have been the possession of banned and "subversive" literature. Leaflets referring to the ANC were found, for instance, in the boot of Timol's car.

It is likely that this whole operation was carried out by the Security Police, and possibly masterminded by them too. On the other hand, as Van den Bergh's comment shows, BOSS was clearly "in the know". In this kind of affair, it is BOSS's role to collate information on all the forms of activity designated as subversive; no doubt a file on each of those detained is to be found at BOSS headquarters.

If BOSS was responsible, however, for the overall planning of this particular operation, then it cannot have been regarded as successful. BOSS's main function in respect of those thought to be engaged in illegal or underground activities is to collect information on organisations and individuals which the police can use as a basis for arrest and prosecution — hard, concrete evidence that will make charges stick. Clearly in the case of nearly all those detained in October-

November 1971 such evidence was lacking. It is possible that the police acted too precipitately, or too randomly, picking up people on whom there was little or no concrete information. However, it is also possible that the purpose of the whole exercise was to intimidate all those suspected of current or potential political involvement. Raids, detentions, interrogations, assaults and prosecutions dragged out over 12 months can demoralise and destroy resistance, even if only a few of those accused are eventually imprisoned. The others — and importantly, their friends and potential allies — are, in the strongest possible way, warned off.

The Pretoria Six

In June 1973 six men, four Black South Africans, one Irishman and one naturalised Australian, Alexandre Moumbaris, were sentenced to terms ranging from 5 to 15 years for offences under the Terrorism Act. All except John Hosey, the Irishman, were alleged to have conspired with each other, with the ANC and with 29 named others to encourage violent revolution in South Africa. Specifically they were alleged to have agreed to secretly bring arms, ammunition and explosives into South Africa and to train people in "warfare and subversion". The four Africans, together with three others who later gave evidence against them, were said to have entered South Africa secretly to plan terrorist activities. Moumbaris was alleged to have harboured, concealed or helped terrorists.

Press investigations revealed that after Moumbaris and his wife were arrested on 19 July 1972, a BOSS agent in Europe obtained the key of Moumbaris' London flat from his mother by posing as a friend of his. This was before Moumbaris' mother knew of his arrest (he was held for 4 months before being charged). Photographs and documents were taken from the flat and later exhibited as evidence in the trial.

In this case it appears that initially the security forces were taken by surprise and only later did they, through their intelligence services, become aware of the group's plans. These were then allowed to continue and, in Hosey's case, a trap was set up so that he could be caught red-handed. Because of the lack of prior information, BOSS was obliged to resort to simple, ill-concealed burglary which embarrassed the normally smooth relations between Britain and South Africa (questions about BOSS's apparent freedom to operate in London were asked in both the British parliament and press; despite a Home Office refusal to comment and South African denials that BOSS was involved, no other explanation of how the objects were transported to Pretoria was forthcoming). This, in general, is something BOSS would prefer to avoid.

The Schlebusch Commission

Countering suspected subversion in this manner is a fairly conventional activity for an intelligence service, so BOSS's involvement in these two instances need surprise no-one. But the South African view of 'subversion' extends from the illegal to the perfectly legal and open activities of those organisations within

the country that are still able to mount opposition to apartheid and thereby provoke Nationalist displeasure.

In the past few years the main groups to come under scrutiny in this way have been student and church groups, and the chief instrument used to neutralise them has been the Schlebusch Commission.

On 10 February 1972 Prime Minister Vorster announced in Parliament the setting up of an inquiry into certain organisations, namely NUSAS (National Union of South African Students), UCM (University Christian Movement), CI (Christian Institute), and SAIRR (South African Institute of Race Relations). Explaining this further he said:

"The time has come for Parliament to take cognizance of the objects of these organisations, of their activities, of their financing, of the matters related with these and of the subsidiary companies or organisations connected with them. . . The times in which we are living compel us, as far as these organisations are concerned, to see what their objects are, most certainly to see with whom they have liaison, most certainly to ascertain what the motives of these organisations are, most certainly to ascertain by whom they are financed, and what is even more important to me, most certainly to ascertain whom they finance in their turn". (*Debates* 10.2.72)

This suggests that the intelligence services had in the course of their work discovered that some or all of the organisations named were receiving money from anti-apartheid sources and were using this to further their own, and others' action towards the same end. Unless it could be proved that such actions were illegal (which they were not) there was no simple way for the government to stop them. Hence the need to create an extra-legal instrument like the Schlebusch Commission which in true MacCarthy fashion would serve to compromise and discredit all those summoned to appear before it. This is clear from the fact that Vorster, in answer to objections that if any of the four organisations had done anything illegal they could be prosecuted, and if they hadn't there were no grounds for investigating them, replied: "It is not a question of contraventions of the law being investigated: it is a question of wanting to see what these organisations look like".

Clearly, too, BOSS had information at its disposal which had led the government to act in this way since, "according to information which the competent authorities have at their disposal", Mr. Vorster said, "there is most certainly a *prima facie* case. I come to Parliament in the knowledge that this is so". It has been suggested that 'the competent authorities' (i.e. BOSS) had acquired this information a year earlier when in February 1971 security police had raided 25 separate persons and organisations, including NUSAS, UCM, the SAIRR education and information centre, and the CI Ecumenical Centre.

Most of the documents seized related to financial transactions, and at the time it was believed that the operation was aimed at discovering the overseas sources of funds given to political prisoners and their dependants. *Rapport*, the Afrikaans

newspaper, claimed that the raids were aimed at "uncovering a vast network through which the underground movement in South Africa is being financed" (28.2.71). The documents taken were still being held when the Schlebusch inquiry was announced.

According to the press, NUSAS was the main target of the inquiry, with the UCM second. In fact less than a month after the announcement two UCM leaders, Rev. Basil Moore and Mr. S. S. Ntwasa, were banned. As Mrs. Helen Suzman pointed out, these bannings before the beginning of the inquiry "which will investigate among others the UCM makes a mockery of the whole proceedings". However the UCM was on the point of dissolving (it did so formally in July 1972); its members were already moving into other groups such as the Black Peoples Convention (BPC) and the South African Students Organisation (SASO) when the inquiry was announced, and the Schlebusch investigations into it became redundant.

The Commission had its own special secrecy regulations. All proceedings were in camera, and witnesses' identities were not to be divulged. It was possible for those summoned to appear to have legal representation, but not for them to know the nature of the information presented about them by other witnesses. Because there were no 'charges' there could be no 'defence'; several of those summoned declined to appear, on these grounds, and were later prosecuted for refusing to testify.

Before the Commission was formally established by an act of Parliament and its powers spelt out, it operated as a parliamentary Select Committee. The first evidence to be heard was presented by four men from BOSS, identified only as Mr. A, B, C and D, each of whom apparently gave evidence on one of the four organisations. When, in July 1972, the committee was transformed into a Commission, its terms of reference were widened to include the power to make recommendations. In August Mr. A. L. Schlebusch was appointed chairman. Then a Nationalist MP, he has since become Speaker of the House of Assembly.

The inquiry took some time to complete and several developments stemmed from it. Those which are important here are the main steps taken by the government to silence its opponents and cut off their funds.

NUSAS was the first organisation to be summonsed. After it had been under investigation for nearly a year, the Commission published an interim report, the key passages of which read:

"With the information now at its disposal, it [the Commission] will not recommend the banning of the organization. A national student organization functioning out of, through and for students is certainly desirable. . ."

But as "the political policy trends of NUSAS are determined and guided by a small group of activists within NUSAS and also influenced by persons outside NUSAS from within and outside South Africa . . . the Commission has decided in a sense of urgency now to name the following persons to you

[the government] as members of the group who have, in a manner which endangers internal security, manoeuvred NUSAS on its present course". (*Debates* 27.2.73).

Eight people connected with NUSAS were named: "the continued participation of these persons in students politics is extremely undesirable", and these were immediately banned. (A week later eight leading black activists from SASO and BPC were also banned — without the elaborate proceedings with which the government finds it necessary to act against its white critics).

The Schlebusch Commission adduced no evidence to support its recommendation, nor do banning orders have to give reasons. From the final report on NUSAS (RP 33/1974) it appears that most of the evidence consisted of documents, letters and other records acquired by the police (and thence by BOSS) during routine raids and mail interception. Several letters dealing with funds for the Prison Education scheme mailed from South Africa to Europe and back were quoted by the Commission, for instance. There is, interestingly, one instance where a letter from the World University Service in Geneva to the Anti-Apartheid Movement in London is reproduced (p. 181 of the Report). Mail interception or seizure by the authorities in South Africa is legal, but outside the country such operations must be undertaken by BOSS agents. This would require either a network of informers, or illegal activity, or both.

The student activities revealed by these documents (many of which were in fact copies of articles and speeches already published in student papers) were not illegal, although to the authorities they appeared extremely compromising: the receipt of funds from overseas to pay study expenses for political prisoners for instance, or contacts made abroad with anti-apartheid groups. In the context of the Commission the testimony of those summoned, in agreeing that they had done these things, was made to appear self-incriminating, even though no offence was involved.

The use of such a cumbersome and protracted procedure as the Schlebusch Commission may seem an over-elaborate means to getting a few white activists banned. It was however part of a larger plan. The use of witch hunt and smear tactics, together with violent confrontation such as took place in several universities in 1972, was aimed at scaring off the younger generation of students, those who might be expected to take over from the current leadership. The bannings that followed were designed to destroy that leadership and ensure that NUSAS would return to being a docile, apolitical body. Finally, in 1974, came the legislation to prevent NUSAS from undertaking projects like the Prison Education scheme — the Affected Organisations Act. This permits the government to declare any organisation 'affected'. Such an organisation is then forbidden to receive foreign money and its activities are seriously curtailed.

When the extent of this attempt to strike at residual white opposition is revealed, it is apparent that it forms part of an overall plan. As the central security department, BOSS would clearly be responsible for this. It is clear, too, that the BOSS

information laid before Schlebusch was the sum total of the evidence against NUSAS. Some of the evidence had been obtained by BOSS agents, some of it by the Security Police acting on BOSS's behalf. There are strong grounds, therefore, for believing that BOSS master-minded the whole affair. Not content with suppressing unlawful activity, it must step in to silence and stop all legal protest and action.

Foreign Affairs

We have already seen something of BOSS's activities abroad during its collection of intelligence. It appears that BOSS regards national boundaries as mere formalities in its pursuit of 'subversives' and 'enemies', and, as we shall see, it does not draw the line at direct intervention in foreign countries' domestic affairs.

Boss in Britain

Through its many forms of representation in diplomatic and trade missions, airline offices, commercial firms, press agencies and so on, South Africa is able to maintain a large BOSS-trained contingent in Britain. Their task is to spy and report back on opponents of South African racial policies. According to the *London Observer* "the South Africans have little interest in commercial espionage. They are solely concerned with political activists. And to the South African authorities all opponents of the apartheid system are, of course, communists, whether they are liberals, Christians or Marxists". Groups of South Africans forced to live overseas in exile, and British groups such as the Anti-Apartheid Movement, the Student Christian Movement, Stop the Seventy Tour, and the Society of Friends — all have come under surveillance. Infiltration, burglary, harassment and intimidation are methods also used by BOSS agents in the search for information.

1971 was the year when the extent of BOSS's London operations was first revealed. As is common with press investigations (from which the following details are taken) a number of isolated instances preceded fuller revelations.

Thus in July the *Sunday Telegraph* disclosed that a file had been stolen from the AAM offices in London, containing a list of speakers and sympathisers. The report continued that

"MPs in the civil liberties group have a growing concern at the apparent impunity with which South African secret police operate in Britain. The Home Office has bulky files on 16 such agents active in London, yet there is no record of any of them having been prosecuted for espionage. The official policy at Scotland Yard is non-co-operation with the South African security police. It has long been suspected that individual members of the Special Branch give them unofficial help". (8.7.71).

The following month, during the Dean of Johannesburg's trial under the Terrorism Act, it was revealed that, as well as using police agents to try and incriminate him, the authorities had watched his movements carefully both inside and outside South Africa. On his arrest in January 1971, for instance, the Dean was shown photographs, taken in 1968, of himself and a Miss Alison Norman standing outside a cottage in Ireland. There was nothing compromising

about the photographs; their purpose was to show the Dean that the prosecution had 'evidence' that he had conspired with Miss Norman to receive money from the International Defence & Aid Fund in London. Very little of the evidence proved to be reliable and the Dean was acquitted on appeal.

In October the *Observer* carried a long article describing the BOSS network in Britain, amplifying the *Sunday Telegraph* report. After recounting various incidents involving surveillance and infiltration attempts recorded by the SCM, the Stop the Seventy Tour campaign, the ANC and others, and naming some of the diplomatic representatives thought to be BOSS officers, the report said

"Among the 34 members of South Africa House who appear in the diplomatic list, about 10 are trained intelligence agents combining general embassy work with intelligence activities. In addition there are about a dozen full time agents in Britain attached to South African commercial organisations, or living here as businessmen or writers. These are the 'professionals'. . . In addition the security service recruits its own network of part-time agents among loyal Afrikaners living here and among Britons sympathetic to the Vorster government, as well as by hiring professional detective agencies". (24.10.71).

The immunity with which these agents were allowed to operate was taken up by a group of Labour Party MPs, who asked the Home Secretary for assurances that the British security forces would no longer co-operate with BOSS. According to the *Guardian*:

"From their investigations the MPs are also satisfied that BOSS agents have

1. waged campaigns of intimidation and harassment against South Africans living in Britain and British opponents of apartheid.
2. repeatedly attempted to plant informers inside anti-apartheid groups.
3. used bribes and coercion in attempts to force South Africans in this country to inform on people regarded as enemies of the Vorster regime". (22.1.71).

One such example had been revealed only a week earlier, in connexion with Chief Buthelezi's visit to Britain. A South African nurse told the *Observer* (14.11.71) how in October she had been approached by three South Africans and offered money to report on Buthelezi's movements. And shortly afterwards files relating to sponsored visits to Britain by South African church members were stolen from the Society of Friends' London headquarters.

Following further investigations, Labour MP James Wellbeloved raised the matter again in Parliament, saying

"It has been clearly established that a spy ring exists. The name of one of the men who organized it on behalf of the South African Government is known. This is a spy ring that flows from the South African Embassy in London, who have had British citizens acting as controllers, established a network of informers and infiltrated organizations in this country hostile to the regime in South Africa". (*Times* 18.12.71).

Since these disclosures, which were denied in neither Britain nor South Africa, it appears that the BOSS network in London has been more circumspect, and its relations with Scotland Yard more careful. There is little doubt however that Britain is still one of BOSS's chief foreign centres.

Boss in Zambia

Because of its geographic position, Zambia is regarded as strategically crucial to the whole Southern African situation. South Africa regards the Zambia-Rhodesia border as its front line. South African forces have been fighting alongside Rhodesian troops, and there is little to disguise the fact that Zambia is — or was — regarded as being as much a threat as the African liberation movements. South Africa therefore uses spying to find out as much as possible about Zambia — its political, military and economic strength and vulnerability. It is unlikely that much of this spying is for military purposes. Most is for political purposes.

From time to time South African agents — usually small fry — are caught and tried in Zambia; the following is a brief catalogue of recent cases.

- In March 1971 Mr. M. V. Jantzen, a truck driver for the South African firm Acrow Engineering on a regular delivery run to Zambia was stopped at the border post. He was said to have used his job as a cover for spying on Zambia Airways, army equipment, freedom fighter movements and training depots. He signed a confession to this effect (which he later retracted) and was detained for a year before being summarily released. The Security Police chief in South Africa denied that Jantzen was an agent.
- In 1972 President Kaunda claimed that South African espionage was increasing in Zambia; several agents had been caught, among them: Emmanuel Mutale, sentenced to 23 years in jail for passing documents to South African agents while employed by Zambian Airways as a fitter; C. W. Clark, a farmer, convicted of passing information (apparently on freedom fighters) to Rhodesian and South African security policemen; and C. J. Legge, a young South African, charged with a similar offence in December.
- In 1974 two South Africans, H. P. C. Buitendag and Clive Gobie, were accused of obtaining information on copper mining and production "which could have been useful to a foreign power, namely South Africa". Both were acquitted on the grounds that an unsupported confession is insufficient evidence, and immediately re-detained. The head of BOSS, Gen. van den Bergh, denied that the men were working for his department — the usual reaction of security chiefs.

Far more serious than these cases of straightforward espionage, however, has been the involvement of South Africa in attempts to unseat (or at least unsettle) the government of President Kaunda. During Zambia's first decade of independence, it was alleged that some of Kaunda's major opponents were receiving financial support from South Africa. Better documented was the following case,

showing evidence of BOSS attempts to capitalize on tensions existing in Zambia between some Lozi tribesmen and the ruling party UNIP.

In 1974 three Zambians were executed for treason following their involvement in an operation whereby the South African authorities induced Zambian agents to recruit 100 of their fellow countrymen for military training in the Caprivi Strip, with a view to overthrowing the Zambian government. Seven recruits turned state's evidence and said they had been trained by white South African soldiers. The operation took place in December 1972.

These cases are probably more interesting for what they do not reveal than for what they do. How extensive is the BOSS network in Zambia? In normal circumstances, intelligence personnel are concealed within the diplomatic establishment. South Africa has no embassy in Zambia, but commercial concerns such as the big mining companies or the banks could provide cover for BOSS officers.

Circumstantial evidence that BOSS has such a network was revealed in a newspaper report shortly after the surprise opening of negotiations over the 'problem' of Rhodesia between Vorster and Kaunda. The *Sunday Times* (8.12.74) claimed that BOSS had arranged the communication system that facilitated the initial understanding. At the end of September 1974 (as the provisional FRELIMO government took power in Mozambique) a senior BOSS official was sent to Zambia with a message for Kaunda. Three weeks later a message came back along the same route, enabling Vorster to make his Senate speech of 23 October which opened up the whole question of 'detente'.

Boss in Namibia

In the middle of 1974 BOSS's infiltration tactics were dramatically illustrated in Namibia, when it was discovered that the Secretary of Information and Publicity for SWAPO, within Namibia, Noah Mize, had been recruited as a secret agent by BOSS.

Mize was exposed when he attended a Congress called in Katutura by the SWA Native Teachers Association. During the congress he was seen to be contacted by a BOSS officer from Windhoek and given some documents. Those taken from Mize by SWANTA organisers proved to be his instructions, one of which was to report on the SWANTA meeting. The phone number of the BOSS office in Windhoek appeared on one of the papers. Mize admitted he was working for BOSS.

Such a slip-up is uncharacteristic of BOSS. So, too, is the fact that, immediately after the exposure of Mize, BOSS issued a statement. In this it was admitted that an agent had attended the Congress, in order to ascertain whether it was being infiltrated by undesirable elements (SWANTA is a legal association and had protested vehemently at being 'spied upon' when all its proceedings were open and relayed to the Department of Bantu Education).

There are two possible explanations. Either the whole affair was a genuine error on BOSS's part. Agents' cover is from time to time broken even in the

best intelligence services. Or it was a deliberate exposure, planned either to warn SWANTA that any deviation from the pro-government line would not go unnoticed, or more seriously to discredit SWAPO. Both the credibility and the operational efficiency of a liberation movement will be impaired if it is seen to be infiltrated by enemy agents — as BOSS is well aware.

Dirty Tricks

The Bureau for State Security was likened to the CIA at its inception, a comparison that was denied by Mr. Vorster. As its involvement in Zambia indicated, however, BOSS is not averse to playing a directly interventionist role in addition to its normal information and intimidation functions. Other recent events support this. Furthermore, it appears that BOSS's relationship to the Nationalist government transcends that of a normal state department with tasks to fulfil. BOSS is involved in the making of domestic and foreign policy at the highest level.

We will look first at the examples of direct intervention. Not content with keeping a watch on the activities of opponents and moving to crush all those thought to pose a threat to white supremacy, BOSS has in certain instances acted directly, to create or ensure the situations the government desires.

Shaka's Spear or Destabilisation

Although by virtue of his acquiescence in the whole Bantustan policy through which the Nationalist government has sought to give apartheid an acceptable face, Chief Buthelezi is Vorster's creature, he has also proved to be something of a thorn in the government's side, because he has repeatedly criticised those who elevated him to his present position as Chief Executive Councillor of KwaZulu.

BOSS has been carefully watching him ever since. As we saw, the authorities were sufficiently anxious to learn about Buthelezi's contacts during his 1971 visit to Britain to attempt to bribe a friend to inform on him. He has, however, continued to criticise. In 1973 he associated himself, fairly outspokenly, with some of the ideas of the Black Consciousness movement, although its more radical advocates in SASO and the BPC have been sharply critical of the homeland leaders.

Now, despite the fact that Chief Buthelezi has probably done far more for the government than against it, he is not in the government's good books. But *because* he has accepted government policy, he cannot be lightly dropped or demoted without undermining the whole Bantustan strategy. As far as the outside world is concerned, the homeland leaders must appear to be the democratically elected ministers of their people, not as Nationalist nominees to be replaced whenever they disagree with their masters.

It was therefore interesting to note, in late 1973, the appearance of a 'new political party' in KwaZulu led by Chief Charles Hlengwa. The new party, Shaka's Spear, was to be in opposition to Chief Buthelezi in the KwaZulu Assembly. A spokesman for the Department of Bantu Administration, the government department which rules the lives of the African population, denied prior know-

ledge of Shaka's Spear, saying "we wouldn't be involved anyway because it is government policy not to interfere in the politics of the homelands" (*Cape Times* 27.10.73).

This was somewhat disingenuous; two days later Buthelezi said that Special Branch men had been instrumental in getting the new party formed. He produced no evidence for this however, and Shaka's Spear continued. In December the party's national organiser Mr. Abel Mhlongo called a press conference at which he attacked Buthelezi and said his party realised the importance of working hand-in-hand with the government "because our problems can be settled here and not by the outside world" (*Rand Daily Mail* 20.12.73). "It is only Umkhonto KaShaka" he added "which can negotiate with Pretoria for the success of the Zulus" (*Star* 22.12.73).

Very little more was heard of the party until six months later when Buthelezi returned to the attack. Chief Hlengwa was preparing a motion of no-confidence in Buthelezi, accusing him of being "an aspirant dictator" in pursuit of personal power and self-glorification. In response Buthelezi said that Shaka's Spear had been founded and financed by BOSS in the person of Mr. Francois Fouche, a BOSS officer stationed in the Empangeni area, who had provided an initial R12,000 to pay Chief Hlengwa and others monthly salaries.

A fortnight later a former executive member, Miss Grineth Mageba, revealed more details of the operation. Shaka's Spear, she said, had been formed in June 1973 after she and her brother, Mr. David Zulu, met a Mr. Paulos Zulu, then working at the Department of Information. He put them in touch with Mr. Fouche, of BOSS, who told Miss Mageba of a plan to start an opposition party to oppose the KwaZulu government. He "told us that we should not trust Chief Buthelezi", she said. "He said that we should go out to the chiefs and persuade them to join the opposing ranks against Chief Buthelezi". Chief Hlengwa was the only one who responded. "Despite all the denials", Miss Mageba concluded "BOSS is the founder of Shaka's Spear — they wrote its constitution, its Press releases, and even financed it. It was done with one reason — to get rid of Chief Buthelezi". (*Sunday Times* (Johannesburg) 16.6.74).

In September Colin Eglin MP raised the matter in Parliament, saying that there were six allegations of interference in KwaZulu affairs as follows;

"Firstly, that the Shaka's Spear party was stimulated, organized and financed with the assistance of this BOSS agent, Mr. Francois Fouche, secondly that he asked Mr. David Zulu to ask him to approach Prof. Nzimande to become the leader and when that failed, he asked him to approach Chief Hlengwa to become the leader. The third charge was that Mr. Fouche was in constant telephone communication to say when the constitution of this party would be ready and when the funds would be made available. The fourth charge was that meetings were held between this party and this agent in the home of this agent in Pinetown and that they also were held in the offices of the Bureau of State Security in Mayville Heights in Pietermaritzburg. The fifth charge was that a

fund of R12,000 was deposited in the Volkskas account in Gardiner Street, Durban, by Mr. Fouche the alleged BOSS agent and made available to the Shaka Spear Party. The final charge was that this Fouche was instrumental in arranging a meeting between Chief Hlengwa and the Minister of Bantu Administration and Development. This meeting was held in Pretoria on 13 December last year". (*Debates* 2.9.74).

This is probably the fullest account we shall have of the incident—which was incidentally blandly denied by the Prime Minister when he replied to the debate.

In so far as it failed, this attempt to set up an alternative to Buthelezi was not among BOSS's most successful operations. Even so, it succeeded in aggravating division within KwaZulu which might easily have begun to 'destabilise' Buthelezi. It is possible, however, that the relative lack of concealment was intentional, its purpose being to warn Buthelezi not to step out of line too much in the future. The veiled threat could have been that, despite its assurances of non-interference in homeland affairs, the central government has the means to control the affairs of those homelands, and will use them if necessary. Up to a point Chief Buthelezi is free to criticise. But the point is to be determined by his white rulers.

Sabotage and Assassination

With its battery of legislation enabling the state to imprison and silence all those within the country who oppose its policies, South Africa has had little need to resort to outright liquidation of individuals, though the deaths of at least 22 detainees indicate that it is not constrained by any reluctance to use terror and murder to maintain Nationalist rule. And until recently the external threat has been kept at a safe distance by the barrier of client Black states (Botswana, Lesotho, Swaziland, Malawi) or friendly white-ruled ones (Rhodesia, Mozambique, Angola). But as the pressure against South Africa from outside has grown this barrier has become increasingly less secure.

It is clear, from many recent developments, that more attention is now being directed towards countering the external threat from the liberation movements with their rear bases in neighbouring Black states. At the same time it is evident that if Vorster's 'dialogue' policy is to succeed, the South African police can no longer act directly in countries such as Zambia and Botswana as it once did by, for instance, kidnapping those whom it wished to imprison, although BOSS agents in these countries are able to continue with their general espionage activities.

In this light we may look at two incidents which, while not conclusively proved to be the work of BOSS, strongly suggest that selective assassination has entered its arsenal. Both occurred in February 1974. On 1 February a parcel bomb killed the SASO leader O. R. A. Tiro in Botswana. The previous September Tiro fled to Botswana from South Africa, where he and other SASO leaders had been banned in March, and applied for political asylum; at the time of his death Tiro was engaged in planning the second conference of the Southern African Students Union (to which SASO was affiliated) to be held in Gaborones in June.

On 12 February a second parcel bomb exploded in the Liberation Centre in Lusaka, apparently directed against the African National Congress office there. John Dube, deputy ANC representative in Zambia, was killed and two other ANC officers injured. Other parcel or letter bombs were discovered and defused about the same time in Zambia—mostly posted within the country.

There is no proof that BOSS was responsible for these deaths. But it is self-evident that both were in the interests of the South African government and reasonable to assume that they were planned and executed by agents operating on the government's behalf. BOSS is the obvious suspect. From what we know of the closeness existing between BOSS and the highest reaches of the Nationalist government it is clear that such attacks would be officially approved. That this was the opinion of the authorities in Botswana was shown by a statement to the UN by Botswana's representative alleging direct or indirect South African involvement in Tiro's death. The South African Foreign Minister "categorically" denied any such involvement or connivance by his government. To have done otherwise would of course have seemed a virtual admission of guilt. It is difficult to see any other explanation.

Besides disposing of known opponents to the South African regime, these assassinations also served both to frighten exiled groups and individuals and disrupt their activities, and to warn the governments of Botswana and Zambia that the support they give to political exiles has its dangers. While such support continues the South African security forces are unwilling to relinquish their freedom to operate throughout Southern Africa.

Dialogue and Detente

Events in late 1974 apparently aimed at a resumption of the policy of 'dialogue' with Black African states and at some kind of 'settlement' in Rhodesia and Namibia that would be satisfactory to South Africa have revealed that BOSS is far more intimately concerned with the formation and execution of foreign policy than was hitherto suspected. To an unusual extent, the security department is centrally concerned, if not actually directing, overall South African strategy in the present situation.

BOSS, it appears, has been instrumental in establishing the links that have led to recent meetings between South African government representatives and Black African states, and Gen. van den Bergh has accompanied Mr. Vorster on his recent trips abroad. The latter fact by itself proves little: Van den Bergh went with Vorster to Lisbon in 1970, when his official role was to look after the security aspects of the visit, which may well have been the extent of his duties, although in view of BOSS's close collaboration with the Portuguese security forces in regular three-cornered meetings with the Rhodesian security service between 1969 and 1974 it would be surprising if the General had not also participated in the Lisbon talks. The recent developments have shown, moreover, that his role is indeed central.

He was certainly a member of the South African delegation to the Ivory Coast

in September 1974. This was followed by the opening of communications between Vorster and the Zambian government in which, as we have seen, BOSS played a key role. And then in February 1975 van den Bergh again accompanied Vorster abroad, this time to Liberia and in company with the Foreign Minister Dr. Muller. The General was not simply in charge of security; he actually participated in the talks with President Tolbert. A detailed report of the meeting published in the *Times* (17.2.75) indicates that Van den Bergh, Vorster and Muller formed a team for the discussion, each explaining aspects of South Africa's policy, though Vorster did most of the talking. How often, we may ask, do the security heads of other countries act as official representatives on foreign visits?

Conclusion

If we now look back at the extent of the BOSS operations we have surveyed, we can see that it is considerable.

It begins like all security services with the gathering of intelligence by overt and covert, lawful and unlawful means. If in South Africa the list of those individuals and organisations regarded as subversive or 'working for the enemy' is unusually large, that is because the South African system of racist domination, like other tyrannies, admits of no dissent. Since no group working for improvement in Black political or social conditions can be allowed to function effectively, it follows that the members of every potential such group must be kept under surveillance, and extensive dossiers on them be built up from information obtained by the security police, informers, intercepted mail, recorded conversations, and so on. This information may, sooner or later, be used to secure a deportation, or an arrest and conviction in the courts, or a banning order, or an 'endorsed out' stamp in a pass book.

In BOSS, internal and external intelligence are combined, so keeping watch on all activities aimed at securing radical change within Southern Africa is a major part of its task. In addition it has overall responsibility for military intelligence, which involves it in assessing the military capacity of other African States and of the armed elements of the liberation movements in the area — ZAPU, ZANU (now merged into the African National Council) SWAPO, ANC, PAC and so on.

Over and above the simple collection of information, however, BOSS has an important role to play in terms of intimidation and spreading confusion, where the aim is to frighten and demoralise its opponents. This partly explains the fact that unlike most secret services, BOSS does not invariably seek to avoid publicity. BOSS offices, for instance, are openly located throughout South Africa and Namibia, although its officers and agents are not as easy to identify as their Security Police counterparts sometimes tend to be. Agents and informers can play a dual role, by both collecting information and sowing confusion and distrust within organisations, whose effectiveness can be undermined by the need to identify and guard against infiltration.

Surveillance and open or concealed inquiries can also have a deterrent effect. It is part of the Bureau for State Security's aim to prevent as well as crush all opposition. To this end a wide variety of tactics are employed, ranging through explicit warnings, threats, 'riot control', 'endorsing out', banning, unlimited detention and torture. If most of these are actually carried out by the police, BOSS is in overall control, with its massive bank of information and its powers of decision and direction.

It is clear, moreover, that BOSS powers are wider than those normally entrusted to state security services. It seeks not only to react to or forestall events but also to influence and even to determine them, in a manner which has come to be exemplified by the CIA in the United States. In pursuit of this BOSS has been engaged in many operations ranging from attempts to interfere in the political affairs of Black African countries to efforts to promote pro-government Black groups within South Africa and Namibia. And just as many of the operations ascribed in the past to the CIA have subsequently been verified as such so it is reasonable to surmise that BOSS is probably responsible for many incidents for which it has not yet received credit. Most evidence of BOSS activity is after all evidence of failure, where an operation has been exposed and unsuccessful, there must be many more as yet unrevealed and continuing. However, 'failures' are often not entirely wasted, as they can also contribute to the atmosphere of mistrust and fear which is one of South Africa's potent weapons. The deviousness of BOSS should not be underestimated.

Finally, while BOSS's power is generally well appreciated, its central political position is often less fully understood. As always, only parts of the jigsaw are visible, from which the whole picture must be implied. It exists not only to serve the state but as a key political department. Security — the perpetuation of the Nationalist government's racist rule in South Africa — is the fundamental political issue in that unhappy country. It transcends all other issues and has taken over the state machine in a self-justifying way which evokes parallels with the security apparatus of the Third Reich. That both political and security strategy, internally and externally, are in the hands of two former admirers of the Third Reich, who moreover are close friends, is final proof of the menace which BOSS has, in five short years, proved itself to be.